

FINAL

**THIRD TAXING DISTRICT**  
of the City of Norwalk  
Commission Meeting  
October 16, 2017

**ATTENDANCE:** Commissioners: David Brown, Chair; Debora Goldstein

**STAFF:** Ron Scofield, Interim General Manager

**OTHERS:** Atty. Chris Hodgson (Berchem Moses)  
Michael Cassella (Willow Brook Energy Partners)  
Sylvia Archibald, Sarah Mann, Kathy Cray (East Norwalk Library)  
Chris Burr (East Norwalk Cemetery Association)  
Kevin Barber (Incoming General Manager for TTD)

**CALL TO ORDER**

Commissioner Brown called the meeting to order at 7:00 p.m. A quorum was present.

**PUBLIC COMMENT**

No one from the public was in attendance to comment.

Commissioner Brown announced to those in attendance that as of Monday, October 23<sup>rd</sup>, Mr. Kevin Barber will become the new General Manager.

**PENSION PLAN CHARTER REVIEW**

Atty. Hodgson presented the Resolution to the Commission. He explained that the Resolution would remove Reliance Trust Company as the Trustee of the Pension Plan, name the TTD Commission the new Trustee with fiduciary responsibility and appoint Charles Schwab Bank as the Custodian of the assets of the Plan. He also presented a draft of the Pension Plan Committee Charter for the Commission to approve and adopt.

**\*\* COMMISSIONER GOLDSTEIN MOVED TO APPROVE THE RESOLUTION AS WRITTEN:**

**WHEREAS**, the Commission has decided to remove Reliance Trust Company (“RTC”) as the Trustee of the Third Taxing District of the City of Norwalk Electrical Department’s Pension Plan (the “Plan”) and to replace RTC as Trustee with the Commission, and to appoint Charles Schwab Bank (“CSB”) as the Custodian of the assets of the Plan, which shall be

FINAL

effective as of the date CSB assumes its appointment and receives the transfer of the Plan's assets from RTC; and

**WHEREAS**, to facilitate the foregoing change in Trustee and appointment of CSB as Custodian, the Commission must enter into a Trust Agreement with the Plan and a Custodial Agreement with CSB; and

**WHEREAS**, the Commission is responsible for the investment and administrative oversight over the Plan, and as such, desires to adopt a Charter to constitute the articles governing the structure and operation of the Third Taxing District of the City of Norwalk Pension Plan Committee (the "Committee").

Based on the foregoing, it is:

**RESOLVED**, that the Commission removes RTC as the Trustee of the Plan and appoints CSB as the Custodian of the assets of the Plan;

**RESOLVED**, that the Commission accepts the appointment as Trustee of the Plan;

**RESOLVED**, that the replacement of RTC as Plan Trustee and the appointment of CSB as the Custodian of the assets of the Plan shall be effective as of the date CSB assumes its appointment and receives the transfer of the Plan's assets from RTC; and

**RESOLVED**, that the Commission is authorized to execute and deliver all such further instruments and documents, including a Trust Agreement with the Plan and a Custodial Agreement with CSB, and to do all such further acts and things as may be necessary or appropriate to carry out the purposes of the foregoing resolutions.

**\*\* COMMISSIONER BROWN SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Atty. Hodgson stated that the above Resolution authorizes a Trust Agreement which will be drafted and forwarded to the Commission at a later date.

Commissioner Goldstein had some questions about the Charter and requested revisions as follows:

Section III Committee Authority, Duties and Responsibilities, add the following to the end of the sentence: "subject in all instances to the approval of the Commission which shall not be unreasonably withheld."

#8, add the following to the end of the sentence: "with prior approval of the Commission."

Atty. Hodgson stated that the Pension Plan Committee will meet twice a year and then report back to the Commission.

Third Taxing District  
of the City of Norwalk  
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### **LIBRARY ENERGY AUDIT RESULTS**

Mr. Cassella reported an update to the Commission on the energy audit that was conducted at the East Norwalk Library. Lantern Energy was retained to conduct energy savings work, i.e., weather stripping and air sealing. Lantern Energy was able to reduce the Cubic Feet per Minute (CFM) from 7,021 to 5,102, a savings of 1,919. This translates to approximately \$500/year in savings.

Mr. Cassella also addressed the four air conditioning units in the library which are about ten years old. They were checked out and were not in as good condition as he had originally thought. He did obtain two quotes to replace the units and also include outside covers for them during the colder months. Replacing the units and adding the covers (thus eliminating air flow) will also add to the overall energy savings.

**\*\* COMMISSIONER BROWN MOVED TO APPROVE THE PURCHASE OF FOUR AIR CONDITIONING UNITS AND COVERS FROM REO APPLIANCE IN THE AMOUNT OF \$7,796.00 FOR THE EAST NORWALK LIBRARY.**

**\*\* COMMISSIONER GOLDSTEIN SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Mr. Cassella reported to the Commission that the replacement window for the Library will be installed the week of October 23<sup>rd</sup>. Once complete, the window film will also be installed.

Mr. Cassella also made a suggestion to the Commission that if they are looking to replace the roof on the library, that perhaps this would be a good time to consider installing solar if so desired.

### **LIBRARY ROOF REPLACEMENT**

Mr. Scofield said that Gill & Gill had prepared a bid spec package to be sent out to contractors for replacing the roof at the East Norwalk Library. They had informed us in December 2016 that it was their recommendation that TTD not wait more than one or two years before replacing the roof. Mr. Scofield recommends that we now have Gill & Gill send out the package and obtain bids for the roof and now possibly include solar for the roof given Mr. Cassella's recommendation.

Commissioner Brown asked how many bids would be obtained and stated that he would like to see Rick's Main Roofing be one of the bidders. Mr. Scofield stated that there would be at least three bids obtained and including Rick's Main Roofing should not be a problem.

Commissioner Goldstein wanted to be sure that there were enough funds in the budget to cover the cost of a new roof. Mr. Scofield responded that Commissioner Yost has suggested that \$40,000 be put into the 2017-18 budget to cover any unforeseen costs associated with the

FINAL

Library. Mr. Scofield will get a cost-to-date figure for the Commission and see what monies remain.

Commissioner Goldstein suggested that this item be brought back to the Commission at the time the District Budget is presented and to include additional information about the installation of solar or Tesla for the library roof.

Commissioner Goldstein asked how long it could take to receive the bids on the roof if the specs were sent out on November 8<sup>th</sup>. Mr. Scofield's thought is that it would take about a month.

**\*\* COMMISSIONER GOLDSTEIN TABLED THIS ITEM TO THE NOVEMBER 8, 2017 MEETING.**

**\*\* COMMISSIONER BROWN ADDED A FRIENDLY AMENDMENT THAT HE WOULD LIKE IT TO INCLUDE ROOF REPLACEMENT, SOLAR INSTALLATION AND TESLA FROM AT LEAST 3 VENDORS FOR EACH.**

**\*\* COMMISSIONER GOLDSTEIN ACCEPTED THE FRIENDLY AMENDMENT.**

**\*\* COMMISSIONER BROWN SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**\*\* COMMISSIONER GOLDSTEIN MOVED TO SUSPEND THE RULES AND ADD AN AGENDA ITEM, TO DISCUSS THE PROCEDURE FOR A HEARING AND POSSIBLE CENSURE FOR A COMMISSIONER WHO HAS NOT BEEN ATTENDING MEETINGS.**

**\*\* THERE WAS NO SECOND.**

**\*\* THE MOTION FAILED.**

### **DISTRICT BUDGET PRESENTATIONS**

#### **East Norwalk Library**

Ms. Archibald reviewed with the Commission the most recent quarterly report that was given to the Commission. She then reviewed the proposed budget for FY2018-19. The new budget includes a new line item for Adult Programs. In addition, there was an increase in Community Awareness Library. The Community Awareness includes newsletter mailings and fundraising activities. The Commission asked various questions about the budget and Ms. Archibald responded.

Commissioner Goldstein took a moment to recognize all the hard work that has been done at the library.

The requested amount for the 2018-19 District Budget is \$180,000.00.

FINAL

East Norwalk Historical Cemetery

Mr. Burr spoke to the Commission and informed them that all the cemetery work is usually done on a volunteer basis except for lawn care and maintenance. Mr. Burr and Mr. Scofield met with Almstead Tree, Shrub & Lawn Care to discuss arbor care for the cemetery. Almstead is recommending some tree removals and pruning of other trees in the amount of \$3,120.00.

Mr. Burr told the Commission that he is planning to have other repairs such as uprighting and repairing headstones. The funds for these repairs would be taken out of the cemetery's endowment fund.

Commissioner Goldstein asked about restoring the wrought iron fence. Mr. Burr said in the past it has been painted and should probably be painted again. He also talked about the damage to the main gate of the cemetery. Some of the wrought iron is bent.

Commissioner Brown suggested that the East Norwalk Cemetery request \$3,500.00 for the 2018-19 District Budget to cover the cost of Almstead and any other repairs (i.e., painting and gate repair) that may be needed.

**MINUTES OF MEETING**

August 29, 2017 Special Meeting

- \*\* COMMISSIONER GOLDSTEIN MOVED TO APPROVE THE MINUTES OF AUGUST 29, 2017 SPECIAL COMMISSION MEETING AS AMENDED.**
- \*\* COMMISSIONER BROWN SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

October 2, 2017 Regular Meeting

- \*\* COMMISSIONER BROWN MOVED TO APPROVE THE MINUTES OF OCTOBER 2, 2017 REGULAR COMMISSION MEETING.**
- \*\* COMMISSIONER GOLDSTEIN SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

FINAL

**EXECUTIVE SESSION**

• **PERSONNEL – APPOINTMENT OF CMEEC REPRESENTATIVE**

**\*\* COMMISSIONER GOLDSTEIN MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE APPOINTMENT OF A CMEEC REPRESENTATIVE.**

**\*\* COMMISSIONER BROWN SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Commissioners Brown and Goldstein, Mr. Scofield and Mr. Barber (Incoming General Manager) entered into Executive Session at 8:29 p.m.

**\*\* COMMISSIONER GOLDSTEIN MOVED TO EXIT EXECUTIVE SESSION AND RETURN TO PUBLIC SESSION.**

**\*\* COMMISSIONER BROWN SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Commissioners Brown and Goldstein, Mr. Scofield and Mr. Barber returned to public session at 9:23 p.m.

**ADJOURNMENT**

**\*\* COMMISSIONER GOLDSTEIN MOVED TO ADJOURN.**

**\*\* COMMISSIONER BROWN SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:24 p.m.

Respectfully submitted,

Cynthia Tenney  
Executive Assistant  
Third Taxing District